

ORDINANCE 15-02

WHEREAS, the Neighborhood Nonprofit Housing Corporation purchased land in Hyrum, Utah at approximately 6200 South between 1150 East and Hammer Road;

WHEREAS, after purchasing the property the Neighborhood Nonprofit Housing Corporation determined there were easement rights, right of way, and privileges and authority by virtue of a warranty deed to Hyrum City;

WHEREAS, these easements and rights of way were granted by M.S. Browning and Joseph Scowcroft, respectively President and Secretary of Blacksmith Fork and Light and Power Company recorded on May 6, 1913, Entry No. 59636, in Book 39, at Page 3 509, records of Cache County, Utah;

WHEREAS, after investigating such easement rights and rights of way it was determined Hyrum City does not have any utility lines nor has plans to install utility lines on such easement rights and rights of way along said tract of land (Cache County Tax ID Numbers 01-72-0001 and 01-72-0009);

WHEREAS, the Neighborhood Nonprofit Housing Corporation has asked Hyrum City to release such easements and rights of way to allow a development design that will improve the use of the its property;

NOW, THEREFORE, following a public hearing as required by Utah State Code Section 10-9a-208, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE RELEASING EASEMENT RIGHTS AND RIGHTS OF WAY AT APPROXIMATELY 6200 SOUTH BETWEEN 1150 EAST (CACHE COUNTY TAX ID NO. 01-72-0001 AND 01-72-0009).

BE IT ORDAINED, by the City Council of Hyrum City, Cache County, State of Utah, to release easements and rights of way as follows:

- A. The South half of the Northeast Quarter of Section 10, Township 10 North, Range 1 East of the Salt Lake Base and Meridian; LESS: Beginning at the East Quarter corner of Section 10, Township 10 North, Range 1 East of the Salt Lake Base and Meridian and running thence North 89°57'24" West 658.81 feet to a point South 89°57'24" East 1986.75 feet from the center of said Section 10; thence North 0°24'23" West 1322.76 feet to the North line of the South half of the Northeast Quarter of said Section; thence South 89°57'56" East 658.62 feet; thence South 0°24'23" East 1322.86 feet to beginning.

Tax Parcel No. 01-072-0001

B. Beginning at the East Quarter corner of Section 10, Township 10 North, Range 1 East of the Salt Lake Base and Meridian; and running thence North 89°57'24" West 658.81 feet to a point South 89°57'24" East 1986.75 feet from the center of said Section 10; thence North 0°24'23" West 1322.76 feet to the North line of the South half of the Northeast Quarter of said Section; thence South 89°57'56" East 658.62 feet; thence South 0°24'23" East 1322.86 feet to beginning.  
Tax Parcel No. 01-072-0009

1. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

2. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

4. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 16<sup>th</sup> day of April, 2015.

HYRUM CITY

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Stephanie Miller  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder